

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ APR 14 2010 ★

ALLSTATE INSURANCE COMPANY,
ALLSTATE INDEMNITY COMPANY,
ALLSTATE PROPERTY & CASUALTY
INSURANCE COMPANY
AND ALLSTATE NEW JERSEY
INSURANCE COMPANY,
Plaintiffs,

vs

DANIEL LEVY A/K/A DIMA, ALEX
LEVY A/K/A SASHA, HOI YAT KAM,
M.D., SALVATORE LENTINI, D.C.,
YAN YAN YU A/K/A ANGELA,
HAROUTYOUN TIKRANIAN, D.C., LAI
FAN XUE, A/K/A LISA, CHENG HE SU,
ALEKSANDRA GASHINSKAYA, M.D.,
BRONX SHERIDAN MEDICAL, P.C.,
NEW LITE BRONX MEDICAL, P.C.,
COMFORT CHIROPRACTIC, P.C.,
ALIGN CHIROPRACTIC CARE, P.C., QI
BAO ACUPUNCTURE, P.C., TAI JI
ACUPUNCTURE, P.C., DESMOND
CONNELL, ESQ., MARY JIMENEZ,
LLOYD MODESTO, RONALD
SCHWARTZ, DAN MADRID, BEST
STAR ADVERTISEMENT CORP., PRO-
TWO MANAGEMENT CORP., AND
UNITED MEDICAL BILLING &
COLLECTION CORP..

Defendants.

CV10- 1652

BLOCK, J.

POHORELSKY, M.J.

TO THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK:

The undersigned represents:

1. That plaintiffs, Allstate Insurance Company, Allstate Indemnity Company, Allstate Property & Casualty Insurance Company, and Allstate New Jersey Insurance Company (collectively "Allstate" and/or "plaintiffs"), have commenced an action against the above-captioned defendants pursuant to the Complaint (Docket #1) (the contents of which are fully incorporated by reference as if set forth herein).
2. That there is a probability of success on the merits of the Complaint warranting prejudgment relief in Allstate's favor in the amount of \$2,750,000.00.

A. Attachment of Real and Personal Property

Allstate will demonstrate a probability of success on the merits of its claims sufficient to warrant the issuance of a prejudgment remedy against the defendants, Daniel Levy, Alex Levy, Hoi Yat Kam, M.D. ("Kam"), Salvatore Lentini, D.C. ("Lentini"), Haroutyoun Tikranian, D.C. ("Tikranian"), Yan Yan Yu ("Yu"), Cheng He Su ("Su"), Aleksandra Gashinskaya, M.D. ("Gashinskaya"), Lai Fan Xue ("Xue"), Desmond Connell, Esq., ("Connell"), Mary Jiminez ("Jiminez"), Lloyd Modesto ("Modesto"), Ronald Schwartz ("Schwartz"), Dan Madrid ("Madrid"), Bronx Sheridan Medical, P.C. ("Bronx Sheridan"), New Lite Bronx Medical, P.C. ("New Lite"), Comfort Chiropractic, P.C. ("Comfort"), Align Chiropractic Care, P.C. ("Align"), Qi Bao Acupuncture, P.C. ("Qi Bao"), Tai Ji Acupuncture, P.C. ("Tai Ji"), Best Star Advertisement Corp. ("Best Star"), Pro-Two Management Corp. ("Pro Two"), and United Medical Billing & Collection Corp. ("United Medical") (collectively "defendants"), in the amount of \$2,750,000.00. *See Affidavits of Richard Smith and Michael Bruno and Memorandum of Law (filed herewith).* Moreover, Allstate will demonstrate that defendants

have secreted assets through an illicit money laundering scheme with the intent to frustrate both their creditors, and a potential judgment against them. *See Affidavit of Richard Smith and Memorandum of Law at pp. 18-21 (filed herewith).*

Pursuant to Fed. R. Civ. P. 64, and New York Civil Practice Law and Rules §§ 6201 and 6212, Allstate respectfully requests that this Court enter a prejudgment writ of attachment against any and all real and personal property within this Court's jurisdiction standing in the name of, or in which the defendants, hold any interest up to the amount of \$2,750,000.00 including, but not limited to the following:

1. Alex Levy

Property Description		Value
9954 63 rd Ave Rego Park, NY		\$846,500
14764 77 th Ave Flushing, NY		\$446,000

2. Hoi Yat Kam

Property Description		Value
67-45 Clyde St Queens, NY 11375		\$828,500
169-17 67 th Ave Fresh Meadows, NY 11365		\$649,500

3. Salvatore Lentini

Property Description		Value
63 Hardscrabble Rd Chester, NY 10918		\$450,000

4. Yan Yan Yu

5664B 184 th St Fresh Meadows, NY 11365	\$345,000
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B. Garnishment of Bank Accounts

Allstate respectfully requests that this Court enter an order garnishing the goods, credits and effects of the defendants in the possession or control of trustees, including, but not limited to the following trustees:

JP Morgan Chase Bank
Citibank
Bank of America
Wachovia Bank
HSBC Bank
TD Bank
Washington Mutual Bank

including, by way of illustration and not limitation, checking accounts, savings accounts, joint accounts, individual retirement accounts, equity lines, trust accounts, and brokerage accounts, up to the amount of \$2,750,000.00.

In addition to the relief requested above, Allstate respectfully requests that this Court issue an Order compelling the defendants to disclose any and all interest(s) he/she/it holds in any asset within the jurisdiction of this Court.

C. Garnishment of No-Fault Proceeds Due and Owing

Allstate further respectfully requests that this Court enter an Order attaching/garnishing any and all monies in the possession of, Bronx Sheridan, New Lite, Comfort, Align, Qi Bao, Tai Ji, Best Star, Pro-Two, and United Medical, arising from the collection of New York No-Fault medical benefits due and owing to those entities from any and all insurers. Allstate has learned that Bronx Sheridan, New Lite, Comfort, Align, Qi Bao, Tai Ji, Best Star, Pro-Two, and United Medical, continue to seek payment of bills/invoices from the following insurers for first-party medical benefits (i.e. New York No-Fault benefits):

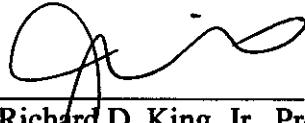
- Allstate Insurance Company;
- GEICO General Insurance Company;
- Nationwide Mutual Insurance Company;
- Progressive Insurance Company;
- State Farm Insurance Company;
- Travelers Insurance Company;
- Auto One Insurance Company;
- American International Underwriters;
- Liberty Mutual Insurance Company;
- American Home Assurance Company;
- Metropolitan Property & Casualty Insurance Company;
- General Assurance Company;
- Utica Mutual Insurance Company;
- Peerless Insurance Company;
- Prudential Property & Casualty Insurance Company;
- New York Central Mutual Fire Insurance Company;
- American Transit Insurance Company;
- Progressive Northeastern Insurance Company;
- Hudson Insurance Company;
- Alea Insurance Company; and
- The Motor Vehicle Accident Indemnification Corporation (MVAIC)

WHEREFORE, for all of the foregoing reasons, plaintiffs, Allstate Insurance Company, Allstate Indemnity Company, Allstate Property & Casualty Insurance Company, and Allstate New Jersey Insurance Company, respectfully request that this Court ORDER the prejudgment attachment and/or garnishment in the total amount of \$2,750,000.00. Allstate further requests a full disclosure of defendants' assets, and a declaration that Bronx Sheridan, New Lite, Comfort, Align, Qi Bao, Tai Ji, Best Star, Pro-Two, and United Medical be ordered to set aside, in trust, all first-party medical benefits (or some percentage thereof) collected from these insurers pending resolution of this matter.

Proposed orders filed herewith.

[SIGNATURE PAGE FOLLOWS]

SMITH & BRINK, P.C.



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Allstate Indemnity Company, Allstate
Property & Casualty Insurance Company,
and Allstate New Jersey Insurance Company

Dated: April 14, 2010